

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/9/2016	(3) CONTACT/PHONE Carolyn K. Berg, Senior Water Resources Engineer (805) 781-5536	
(4) SUBJECT Submittal of resolutions of support for the County of Santa Barbara's pursuit of boundary modifications for the Cuyama Valley Groundwater Basin. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the Board of Supervisors for the County of San Luis Obispo: 1. Adopt the attached resolution of support for the Cuyama Valley Groundwater Basin boundary modification request by the Santa Barbara County Water Agency to the California Department of Water Resources (DWR). Acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District): 1. Adopt the attached resolution of support for the Cuyama Valley Groundwater Basin boundary modification request by the Santa Barbara County Water Agency to the California Department of water Resources (DWR).			
(6) FUNDING SOURCE(S) San Luis Obispo County Flood Control and Water Conservation District, Fund 1300000000	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input type="checkbox"/> Board Business (Time Est. ____ )			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: 1/13/15, #22	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 16FEB09-C-2

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Carolyn K. Berg, Senior Water Resources Engineer

Courtney Howard, Water Resources Division Manager

VIA: Mark Hutchinson, Deputy Director of Public Works

DATE: 2/9/2016

SUBJECT: Submittal of resolutions of support for the County of Santa Barbara's pursuit of boundary modifications for the Cuyama Valley Groundwater Basin. District 4.

## **RECOMMENDATION**

It is recommended that the Board, acting as the Board of Supervisors for the County of San Luis Obispo:

1. Adopt the attached resolution of support for the Cuyama Valley Groundwater Basin boundary modification request by the Santa Barbara County Water Agency to the California Department of Water Resources (DWR).

Acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Adopt the attached resolution of support for the Cuyama Valley Groundwater Basin boundary modification request by the Santa Barbara County Water Agency to the California Department of water Resources (DWR).

## **DISCUSSION**

The Sustainable Groundwater Management Act (Water Code §§ 10720 et seq.) (SGMA) took effect on January 1, 2015. SGMA provides new authorities to local agencies with water supply, water management or land use responsibilities and requires various actions be taken in order to achieve sustainable groundwater management in high and medium priority groundwater basins. Based on the 2014 Final Basin Prioritization by DWR, there are five high and medium priority groundwater basins located in whole or in part within San Luis Obispo County: Paso Robles (high), Santa Maria (high), Los Osos (high), San Luis Obispo Edna Valley (medium), and Cuyama Valley (medium).

On January 13, 2015, your Board adopted the SGMA Strategy and directed staff to implement the policy. The strategy provides that those basins designated by DWR as high and medium priority, including the Cuyama Valley Groundwater Basin, receive the first priority for the resources necessary to meet statutory deadlines.

## ***DWR Bulletin 118 Basin Boundary Modification Process***

Among SGMA's first statutory deadlines is the deadline for DWR to update its Bulletin 118 Report and modify basin boundaries as needed to reflect DWR-approved scientific and jurisdictional information. DWR's Bulletin 118 Report maintains an inventory of the State's groundwater basins (and related basin boundaries) and was last updated in 2003. On October 21, 2015, DWR adopted regulations relating to basin boundary modification processes, consistent with SGMA and Water Code §§ 10722.2 and 12924. The regulations detail the required processes that a local agency must follow prior to requesting that DWR make modifications to a basin boundary based on updated scientific and/or jurisdictional information, including a requirement that Requesting Agency's<sup>1</sup> consider affected agency input<sup>2</sup>.

### ***Cuyama Valley Groundwater Basin Boundary***

The Cuyama Valley Groundwater Basin (Basin No. 3-13) underlies the valley drained by the Cuyama River and is bounded on the north by the Caliente range and on the Southwest by the Sierra Madre Mountains. This groundwater basin underlies four counties: Santa Barbara, Ventura, Kern and San Luis Obispo; thus, each respective County government has the opportunity to engage in SGMA compliance efforts. Other basin users include: Cuyama Community Services District, United States Bureau of Land Management, United States Forest Service, and rural and agricultural landowners.

In 2008, the Santa Barbara County Water Agency (SBCWA) cooperated with the United States Geologic Survey (USGS) to conduct a comprehensive study of the water resources in the Cuyama Valley. The study was ultimately completed in 2014. One outcome of the study was the determination of a refined basin boundary based on geology, hydrogeology and water quality data. As noted in SBCWA's attached basin summary, "of significance is the removal of a portion of the west end from the former basin boundary. The USGS made this adjustment based on the presence of the Russell fault plane, which impedes transmission of water to the west."

On November 17, 2015, the SBCWA Board of Directors passed Resolution No. 15-297, authorizing the SBCWA to act as the "Requesting Agency" to conduct the basin boundary modification process for Cuyama Valley Groundwater Basin. SBCWA submitted the initial notification<sup>3</sup> of potential basin boundary modification request to DWR on November 20, 2015. The attached map shows the SBCWA's proposed basin boundary modification in relation to the DWR Bulletin 118 boundary. SBCWA intends to submit the boundary modification request in mid-February 2016.

SBCWA, as the Requesting Agency, has contacted each agency with planning or management responsibilities in the basin, including County staff. SBCWA is seeking comments and formal resolutions in support or opposition of a basin boundary modification.

The study and its resulting boundary analysis are supported by the best available scientific data. Additionally, SBCWA and USGS engaged basin users in the study development, and SBCWA has re-engaged in public processes as required when pursuing basin boundary modifications. County staff

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<sup>1</sup> Code of Regulations 341 Definitions (c) "**Affected agency**" means a local agency, as defined in Water Code Section 10721(m), whose jurisdictional area would, as a result of a boundary modification, include more, fewer, or different basins or subbasins than without the modification; (v) "**Requesting agency**" means the local agency that requests a boundary modification as authorized by Water Code Section 10722.2.

<sup>2</sup> Code of Regulations 344.8 Local Agency Input (b) Any affected agency or affected system that elects to support or oppose the proposed boundary modification shall provide the requesting agency with one of the following: (1) A copy of a resolution formally adopted by the decision-making body of the affected agency or affected system. (2) A letter signed by an executive officer or other official with appropriate delegated authority who represents the affected agency or affected system.

<sup>3</sup> This notice can be viewed at: <http://sgma.water.ca.gov/basinmod/initlist>

has reviewed the USGS study and concurs with its recommendations regarding the basin boundary as the boundary affects properties in San Luis Obispo County. Note that based on public testimony at the Santa Barbara County SBCWA Board hearing and Public Information meetings in Cuyama, there is some public concern about the proposed boundary change as it affects properties in Santa Barbara County. Never the less, staff recommends that the Board, acting on behalf of both the County of San Luis Obispo and the District, approve the attached resolutions expressing support for SBCWA's boundary modification request to DWR, for the portion of the basin within San Luis Obispo County.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

This groundwater basin underlies four counties: Santa Barbara, Ventura, Kern and San Luis Obispo; thus, each respective County government and other overlying jurisdictions, such as the District and Santa Barbara County Water Agency, have the opportunity to engage in SGMA compliance efforts. Other basin users include: Cuyama Community Services District, United States Bureau of Land Management, United States Forest Service, and rural and agricultural landowners.

County Counsel has reviewed the Resolution as to legal form and effect.

This process to request basin boundary modifications is established by DWR.

### **FINANCIAL CONSIDERATIONS**

Costs associated with submittal of resolutions of support and engagement with Basin users are within the Flood Control District's FY 2015-16 budget.

### **RESULTS**

Approval of the recommended action will support the Santa Barbara County Water Agency, as the Requesting Agency, in its pursuit of boundary modifications to refine the DWR Bulletin 118 basin boundary based on the best available scientific data; and will provide direction to County staff, thereby contributing to a well governed community.

### **ATTACHMENTS**

1. Cuyama Groundwater Basin Boundaries – Map
2. November 17, 2015 County of Santa Barbara Board Staff Report
3. Basin Boundary Modification Cuyama Valley Groundwater Basin
4. California Code of Regulations - Basin Boundary Regulations
5. Resolution of Support for Cuyama Valley Groundwater Basin Boundary Modification Request by the Santa Barbara County Water Agency to the California Department of Water Resources (County of San Luis Obispo)
6. Resolution of Support for Cuyama Valley Groundwater Basin Boundary Modification Request by the Santa Barbara County Water Agency to the California Department of Water Resources (Flood Control District)

File: CF 490.40.02 Flood Control General

Reference: 16FEB09-C-2

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